

COOLEY LLP
Heidi Keefe (178960)
(hkeefe@cooley.com)
Lowell Mead (223989)
(lmead@cooley.com)
Priya B. Viswanath (238089)
(pviswanath@cooley.com)
3175 Hanover Street
Palo Alto, California 94304
Telephone: (650) 843-5000
Facsimile: (650) 849-7400

COOLEY LLP
Phillip Morton (*Pro Hac Vice*)
(pmorton@cooley.com)
1299 Pennsylvania Avenue
NW, Suite 700
Washington, DC 20004-2400
Telephone: (202) 842-7800
Facsimile: (202) 842-7899

Attorneys for Defendant
Apple Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COREPHOTONICS, LTD.

Plaintiff,

vs.

APPLE INC.

Defendant.

Case No. 3:17-cv-06457-JD (lead case)
Case No. 5:18-cv-02555-JD

**DECLARATION OF LOWELL MEAD IN
SUPPORT OF DEFENDANT'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL**

I, Lowell Mead, declare:

1. I am an attorney with Cooley LLP and counsel in this action for Defendant Apple Inc. (“Apple”). I submit this declaration in support of Apple’s Administrative Motion to File Under Seal.

2. The information sought to be sealed is narrowly tailored:

Item #	Materials Sought to be Sealed	Sealing Request
1	Defendant’s Reply in Support of its Motion to Amend its Answer: <ul style="list-style-type: none"> page 1, lines 21, 22, 24, and 25 page 4, lines 18 and 20 page 5, lines 3, 6, 7, 12, 17, and 19-26 page 6, lines 7, 8, 10, 14-16, 18, 19, 21, and footnote 5 page 7, lines 2, 6, 16, 17, 19, and footnote 6 	Narrowly tailored portions of Reply describing highly confidential and sensitive terms and the confidential signatory of the agreement
2	Exhibit M, Mead 11/16/2023 Email Chain: <ul style="list-style-type: none"> pages 1-6, individual names and contact information subject to confidentiality 	Narrowly tailored portions of Mead 11/16/2023 Email Chain identifying third-party signatory to agreement, whose existence is confidential and subject to third-party confidentiality obligations

3. These materials contain information that was produced as and designated as “Confidential – Attorneys’ Eyes Only” under the Protective Order (Dkt. 77), including based on third-party confidentiality.

4. The highly confidential and sensitive materials Apple seeks the Court’s permission to file under seal relates to highly confidential information from an agreement entered into by Apple and a third party that is subject to third-party confidentiality obligations. I understand that the existence and the terms of the agreement are highly confidential and reflect sensitive business strategies and discussions.

5. Both compelling reasons and good cause exist to permit Apple to file the narrowly tailored requested information under seal, as public disclosure of this information would harm Apple and the third-party signatory to the agreement at issue, and such information, if revealed to the public, could be misused by competitors and adversaries to harm the

1 signatories.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed on
3 November 30, 2023 in Palo Alto, CA.
4

5 /s/ Lowell Mead

6 Lowell Mead
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27